REMARKS

Claims 1-50 are pending in the application. Applicants have amended claims 42-50. Applicants respectfully request reconsideration of the claims as amended.

Applicants gratefully note the Examiner's indication that claims 2, 4, 12, 24, 26 and 39 contain allowable subject matter and would be allowed if rewritten to include all the limitations of the base claim and any intervening claims.

The Examiner has rejected claims 42-50 under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter. Specifically, the Examiner has alleged that the subject matter of claims 42-50 is directed to a computer program, which is neither a product nor a process. In this regard, Applicants have amended claims 42-50 to recite a computer readable medium having a computer readable program, directed to a product. Accordingly, the above rejection is overcome.

The Examiner has further rejected claims 1, 3, 5-11, 13-23, 25, 27-29, 31-38, 40-42 and 44-49 under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent Application Publication 2002/0097986 to Wood et al. (hereinafter "Wood"). Applicants respectfully submit the rejection is overcome in view of the following remarks.

To maintain a claim rejection under 35 U.S.C. §102, a reference must disclose each and every element of the claim. Wood fails to do so.

Wood discloses an apparatus for storing video information, wherein two digital units (VCRs) are connected with each other and recognize each other, one of which is identified as a master unit and the other of which is identified as a slave unit (see Lines 11-14, Paragraph [0030] of Wood, as cited by the Examiner). Specifically, the slave unit ignores all commands intended for the master unit, thereby providing a unified interface for the two units. Thus, a user is able to use the two VCRs as if they were a single digital VCR with a combined storing space of the two individual VCRs. Furthermore, under the situation where the slave unit is being used to record a live TV show and the

master unit is being used to record another live TV show on another channel, the master unit can store the video streams from its current channel onto the slave's hard disk drive if the hard disk drive of the master unit is full and there is space available on the slave's hard disk drive (see Lines 7-10, Paragraph [0067] of Wood, as cited by the Examiner). Therefore, Wood discloses a configuration wherein the master unit and the slave unit are unified to provide a combined storing space and the master unit can further access the available storing space of the slave unit for storing video streams.

In contrast, the present invention, as claimed by the independent claims, contemplates a novel system for recording and storing a TV program, wherein a master apparatus not only includes features for accessing the storing space of at least one slave apparatus but also features for implementing other functionalities of the system, for example, selecting a slave apparatus to record a program such that a plurality of timer recording settings are not made at one time in one apparatus.

To elaborate, independent claim 1 recites "a master apparatus for selecting a slave apparatus to record a program such that a plurality of timer recording settings are not made at one time in one apparatus, when the program to be recorded is determined, and instructing the selected slave apparatus to set the program for timer recording", which is not disclosed by Wood.

Independent claim 11 recites "a master apparatus for, if a program to be recorded is determined, successively asking the slave apparatus about whether the slave apparatus are capable of recording the program until the response indicating that the slave apparatus are capable of recording the program is received, and, if said response is received from a slave apparatus, instructing the slave apparatus which has sent the response to set the program for timer recording", which is not disclosed by Wood.

Independent claims 20 and 23 recite "a controller for grasping programs set for timer recording in each of all the apparatus, and, if a program to be recorded is determined, selecting an apparatus to record the program such that a plurality of timer recording settings are not made at one time

in one apparatus, and, if the master apparatus is selected, extracting a channel on which the program is broadcast with said first tuner when a time to broadcast the program is reached, generating program data of the program with said first encoder, and storing the program data in said first memory, and, if a slave apparatus other than the master apparatus is selected, instructing the selected slave apparatus to set the program for timer recording, and, if the program data of a program instructed by the user to be played back is stored in said first memory of the master apparatus, reading the program data from said first memory, and decoding the program data with said first decoder, and, if the program data of a program instructed by the user to be played back is stored in a slave apparatus other than the master apparatus, instructing said slave apparatus to play back the program, and decoding the program data input from said slave apparatus with said first decoder", which is not disclosed by Wood.

Independent claim 28 recites "a recording controller for successively storing the program data of programs set for timer recording in said temporary memory, and partly deleting the program data recorded in said temporary memory in the past if the program data stored in said temporary memory exceeds said predetermined amount", which is not disclosed by Wood.

Independent claim 31 recites "a master apparatus for, when the user is to determine a channel on which each of the slave apparatus automatically continuously records a program and to select a program to be played back on the channel, displaying a list of programs recorded by all the slave apparatus in association with channels and times at which the programs are recorded, on an output device for displaying programs, and, if a program to be displayed is selected by the user with a channel and a time, controlling the slave apparatus which has recorded the program to play back the program, and, if the user changes the channel to another channel, controls the slave apparatus which has recorded a program on the other channel at the same time as the former channel to play back the program on the other channel", which is not disclosed by Wood.

Independent claims 34 and 37 recite "a controller for ... if the program data of a

program instructed by the user to be played back is stored in a slave apparatus, instructing the slave apparatus to play back the program, outputting a program signal received from the slave apparatus to said output device, and, if the program data of a program which is highly likely to be played back by a subsequent control action of the user is stored in the first memory of the master apparatus, preparing the master apparatus to read the program data from said first memory and decode the program data with said first decoder, and, if the program data of a program which is highly likely to be played back by a subsequent control action of the user is stored in a slave apparatus, instructing the slave apparatus to prepare said slave apparatus to play back the program", which is not disclosed by Wood.

Independent claim 38 recites "means for selecting one of the broadcast recording apparatus to record the program such that a plurality of timer recording settings are not made at one time in one apparatus", which is not disclosed by Wood.

Independent claim 40 recites "a master apparatus for grasping data set for timer recording by said slave apparatus, and, if data to be recorded is determined, selecting one of the slave apparatus such that a plurality of timer recording settings are not made at one time in one apparatus, and instructing the selected slave apparatus to set the data for timer recording", which is not disclosed by Wood.

In addition, as alleged by the Examiner in the Office Action (see, paragraph 1, page 19 of the action), independent claims 42, 44, 46, 47, 48 and 49 are directed to a computer program, currently amended to a computer readable medium having the computer program, corresponding to the system and apparatus recited by other independent claims. Accordingly, Wood also fails to disclose each and every element of these claims.

Since Wood fails to disclose each and every element of the pending independent claims, the rejection of claims 1, 3, 5-11, 13-23, 25, 27-29, 31-38, 40-42 and 44-49 under 35 U.S.C. §102(e) based on Wood is overcome, and withdrawal thereof is respectfully requested.

The Examiner has further rejected claim 30 under 35 U.S.C. §103(a) as allegedly unpatentable over Wood in view of U.S. Patent No. 7,072,576 to Tanaka (hereinafter "Tanaka"). Applicants respectfully submit the rejection is overcome in view of the following remarks.

Wood is discussed above relative to independent claim 28, from which claim 30 depends. Tanaka is relied on to provide the additional limitations in claim 30, i.e., a means for allowing a user to set memory capacities to a temporary memory and a permanent memory. Tanaka does not remedy the underlying deficiencies of Wood relative to independent claim 28. Thus, neither Wood nor Tanaka, taken alone or in combination, teach or suggest the combination of features recited in claim 30. Accordingly, the rejection of claim 30 under 35 U.S.C. §103(a) based on the combination of Wood and Tanaka is overcome.

In view of the foregoing amendments and remarks, it is firmly believed that the subject application is in condition for allowance, which action is earnestly solicited.

Respectfully submitted,

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